

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

6:69-cv-07941-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Village of Chama

Subfile No(s).

**CHCV-003-0022**

**CHCV-003-0043**

**ORDER GRANTING DEFAULT JUDGMENT**

THIS MATTER is before the Court upon the motion by the plaintiff, State of New Mexico, *ex rel.*, State Engineer's January 8, 2009 Motion for Default Judgment (Docket No. 9368). The Court, being fully advised, finds that the State's motion is well-taken and should be GRANTED.

The Court, being fully advised, finds:

1. The Court has jurisdiction of the parties and the subject matter herein.
2. The defendants named below have been legally served with process or have waived service of summons.
3. The defendants named below have failed to appear, answer, or otherwise defend in this cause, and are adjudged to be in default.
4. The State Engineer's hydrographic survey and report of the Rio Chama Stream System, Section 7, Village of Chama (July 31, 2003) relating to the defendants' water rights have been introduced into the record, and the same are hereby incorporated and made a part of this order.
5. The water rights of the defendants named below in the above-styled and captioned cause are as follows:

**HERMAN CANDELARIA  
PUANANI KAUAHILO  
MICHAEL J. ROUNDY**

**Subfile No.: CHCV-003-0022**

**A. IRRIGATION (Surface Water Only)**

**Office of the State Engineer Files No(s)** 1974

**Priority:** Reserved for future determination by court order entered November 19, 2002.

Reserved for future determination by court order entered November 19, 2002.

**Source of Water:** M-B DITCH-RIO CHAMA: Surface water of the Rio Chama.

M-B DITCH-RIO CHAMITA: Surface water of the Rio Chama and the  
Rio Chamita, a tributary of the Rio Chama

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** M-B DITCH-RIO CHAMA

**Location:** X= 1,546,909 feet Y= 2,155,273 feet

**Ditch:** M-B DITCH-RIO CHAMITA

**Location:** X= 1,540,798 feet Y= 2,149,302 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

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**Location and Amount of Irrigated Acreage:**

Within the Tierra Amarilla Grant	1.9 acres
Total	1.9 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCV-003-0022

**Amount of Water:** Reserved for future determination by court order entered November 19, 2002.

**HERMAN CANDELARIA  
PUANANI KAUAIHILO  
MICHAEL J. ROUNDY**

**Subfile No.: CHCV-003-0043**

**A. NO RIGHT (Surface Water Only)**

**Office of the State Engineer Files No(s)** NONE

**Priority:** NONE

NONE

**Source of Water:** M-B DITCH-RIO CHAMA: Surface water of the Rio Chama.

M-B DITCH-RIO CHAMITA: Surface water of the Rio Chama and the  
Rio Chamita, a tributary of the Rio Chama

**Purpose of Use:** NO RIGHT

**Point of Diversion:**

**Ditch:** M-B DITCH-RIO CHAMA

**Location:** X= 1,546,909 feet Y= 2,155,273 feet

**Ditch:** M-B DITCH-RIO CHAMITA

**Location:** X= 1,540,798 feet Y= 2,149,302 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Acreage:**

Within the Tierra Amarilla Grant

0.5 acres

Total 0.5 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCV-003-0043

**Amount of Water:** NONE

IT IS, THEREFORE, ORDERED that the above-named defendants be and hereby are, adjudicated to have the water rights set out hereinabove, subject to the right of any other water rights claimant with standing to object prior to the entry of a final decree.

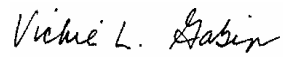
IT IS FURTHER ORDERED that the defendants, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 7, except in strict accordance with the rights set forth herein or in other orders of the Court.

Handwritten signature of Bruce D. Black in cursive script.

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BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

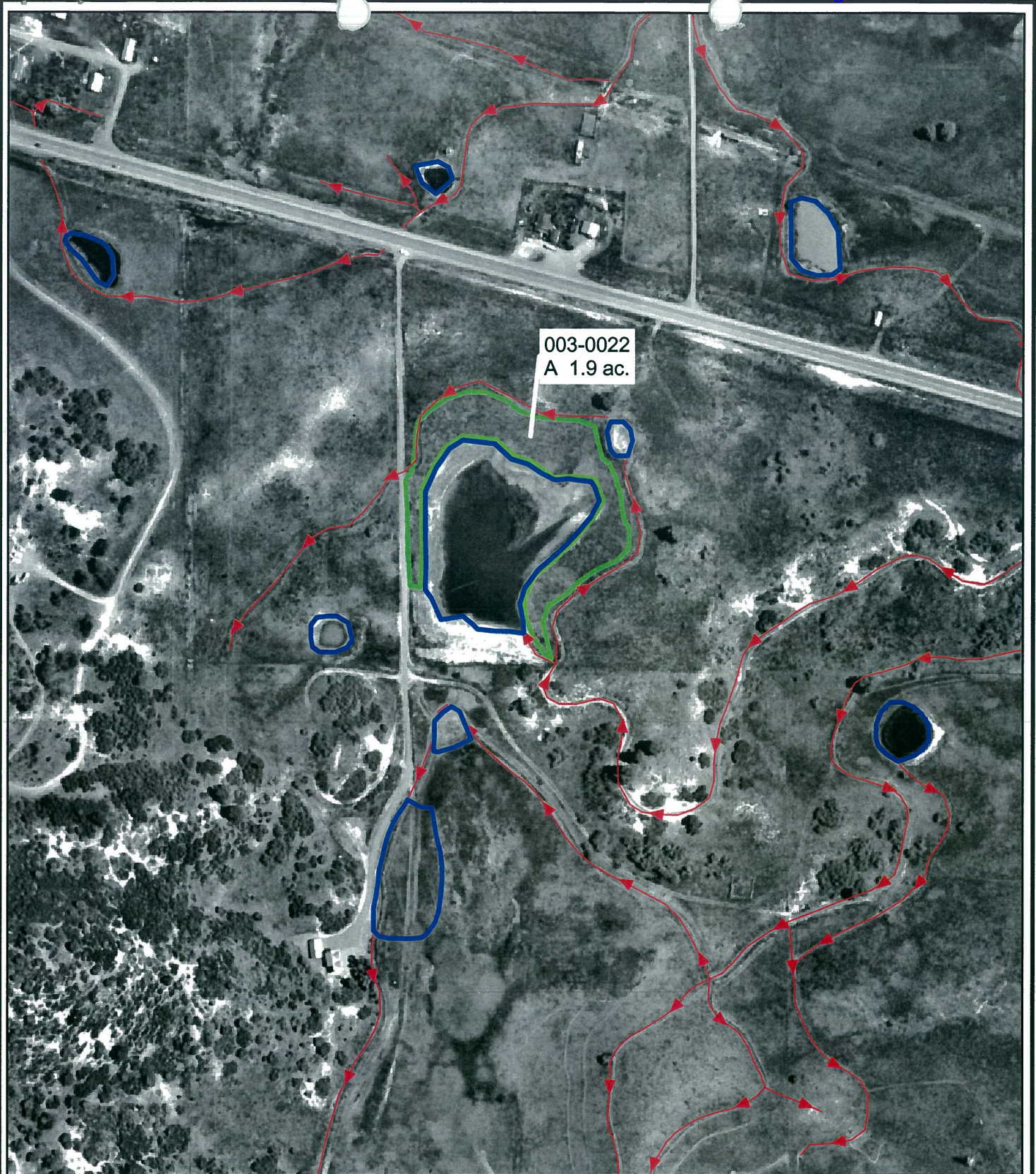
Recommended for approval:

Handwritten signature of Vickie L. Gabin in cursive script.

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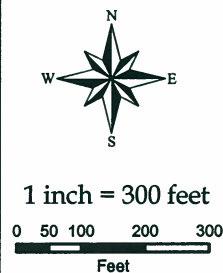
SPECIAL MASTER





# LEGEND

- |                          |                    |
|--------------------------|--------------------|
| Irrigated Tract Boundary | Point of Diversion |
| No Right Tract Boundary  | Fallow             |
| Seeped Land              | No Right           |
| Operable Ditch / Lateral |                    |
| Pipeline                 |                    |
| Reservoir / Stock Pond   |                    |



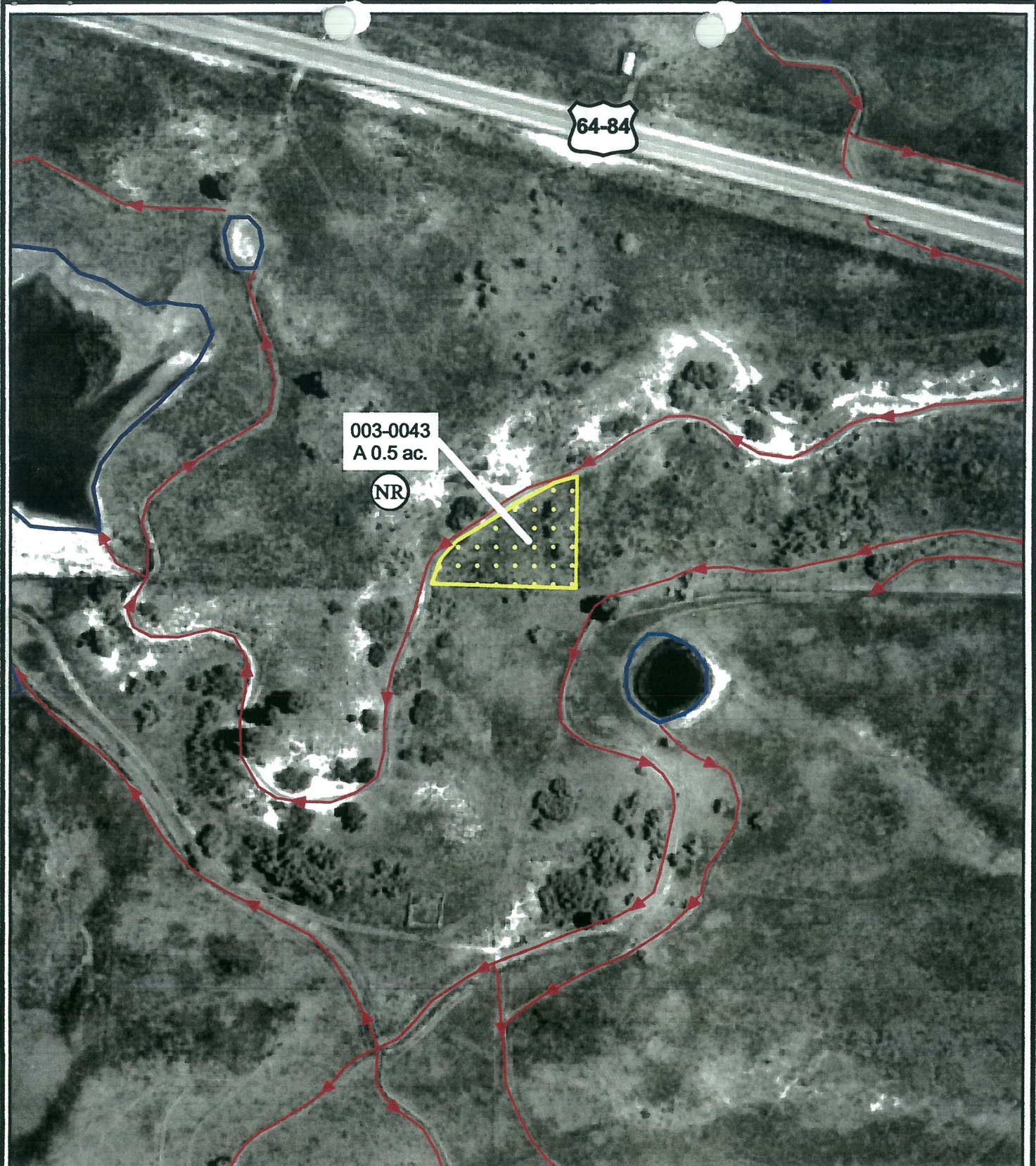
STATE OF NEW MEXICO  
Office of the State Engineer  
John R. D'Antonio, Jr., P.E.,  
State Engineer

Rio Chama Hydrographic Survey  
Village of Chama Section

Subfile Number  
**CHCV 003-0022**  
M-B Ditch  
AMENDED  
April 19, 2005







# LEGEND

- |                          |                    |
|--------------------------|--------------------|
| Irrigated Tract Boundary | Point of Diversion |
| No Right Tract Boundary  | Fallow             |
| Seeped Land              | No Right           |
| Operable Ditch / Lateral |                    |
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| Reservoir / Stock Pond   |                    |



1 inch = 200 feet

0 50 100 200

Feet

STATE OF NEW MEXICO  
Office of the State Engineer  
John R. D'Antonio, Jr., P.E.,  
State Engineer

Rio Chama Hydrographic Survey  
Village of Chama Section

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**CHCV 003-0043**  
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